

Sixth District Department of Correctional Services POLICY	Issue Date 11/01/91	Effective Date 06/01/17	Policy Number 2517-17
Subject <b>RESTITUTION BY RESIDENT</b>		Review Month September	Author 0120 (CDE)
Rescinds 1317-05; 1417-94	References 910.Code, WR-72		

**POLICY:**

Staff assures that residents make a reasonable effort to comply with plans of restitution.

**PROCEDURE:**

1. The Residential PPO ensures that a Restitution Plan of Payment is completed for every case as required by Iowa law.
2. Upon case assignment the Residential PPO reviews the file to determine if there is an existing Plan of Payment. If an Installment Plan was not ordered by the Judge at Sentencing or if a new Plan is required due to a change in status, the Residential PPO develops a Plan of Payment.
3. If an Installment Plan (169) was ordered at sentencing, the Residential PPO ensures the Plan is followed. For Work Release/OWI residents the Residential PPO may modify a previously existing Restitution Plan of Payment to reflect the resident's current circumstances.
4. If restitution was ordered and a plan of payment not addressed through a Plan of Payment or sentencing order, Residential PPO reviews Iowa Courts online to determine the amount(s) owing.
5. The Residential PPO considers the following when developing restitution plans of payment:
  - A. Present income/employment
  - B. Physical/mental health
  - C. Education
  - D. Financial situation
  - E. Family circumstances

**POLICY NUMBER 2517-17**  
**PAGE 2 OF 2**

**PROCEDURE:** (continued)

6. The Plan of Payment is reviewed with the resident. The resident signs the Plan and it is forwarded to the appropriate party for final approval.
7. Plans of Payment and modifications for Work Release/OWI are forwarded to the District Director for approval. Plans of Payment for probationers are forwarded to the appropriate Clerk of Court.
8. Willful failure of a resident to comply with the restitution Plan of Payment, including a community service requirement, if any, constitutes a major violation of facility rules.

BY ORDER OF:

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Bruce Vander Sanden, Director